

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**ORDER DENYING MOTION OF THE IRREVOCABLE CHARITABLE REMAINDER
TRUST OF YALE FISHMAN AND THE GLENN AKIVA FISHMAN CHARITABLE
REMAINDER UNITRUST FOR (I) A HEARING TO DETERMINE ALLOWANCE OF
CLAIMS AND (II) ENTRY OF AN ORDER ALLOWING THE TRUST CLAIMANTS’
CLAIMS AND GRANTING RELATED RELIEF**

Upon consideration of the motion of the Irrevocable Charitable Remainder Trust of Yale Fishman and the Glenn Akiva Fishman Charitable Remainder Unitrust for (I) a Hearing to Determine Allowance of Claims and (II) Entry of an Order Allowing the Trust Claimants’ Claims and Granting Related Relief (the “Motion”), dated February 7, 2014, ECF No. 5645; the Memorandum of Law in Opposition to the Motion of the Irrevocable Charitable Remainder Trust of Yale Fishman and the Glenn Akiva Fishman Charitable Remainder Unitrust for Entry of an Order Allowing the Trust Claimants’ Claims, filed on March 31, 2014 by Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*

(“SIPA”), and the substantively consolidated estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), ECF No. 6081; the Declaration of Vineet Sehgal in Support of the Trustee's Opposition to Motion of the Irrevocable Charitable Remainder Trust of Yale Fishman and the Glenn Akiva Fishman Charitable Remainder Unitrust for Entry of an Order Allowing the Trust Claimants Claims, filed on March 31, 2014, ECF No. 6082; the Memorandum of Law of the Securities Investor Protection Corporation in Opposition to the Fishman Claimants' Motion Regarding Inter-Account Transfers, filed on March 31, 2014, ECF No. 6080; and the Reply in Further Support of the Motion of the Irrevocable Charitable Remainder Trust of Yale Fishman and the Glenn Akiva Fishman Charitable Remainder Unitrust for (I) a Hearing to Determine Allowance of Claims and (II) Entry of an Order Allowing The Trust Claimants' Claims and Granting Related Relief, filed on April 14, 2014, ECF No. 6221; and it appearing that due and proper notice of the Motion and the relief requested therein have been given, and no other or further notice needing to be given; and a hearing having been held on the Motion on May 20, 2014 (the “Hearing”); and the Court having reviewed the Motion, responsive pleadings, the arguments of counsel and the record in this case; and the Court, for the reasons set forth in the transcript of the Hearing on the Motion, **IT IS HEREBY:**

ORDERED, that the relief requested in the Motion is denied; and it is further

ORDERED, that the Trustee's determinations denying the claims relating to BLMIS Account Nos. 1CM543 and 1CM552 are affirmed and the related claims objections, ECF Nos. 2337 and 2341, are overruled.

Dated: New York, New York
May 21st, 2014

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE